

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1457

IN THE MATTER OF:

Application of EXECUTIVE)	Served September 30, 1975
LIMOUSINE SERVICE, INC.)	
for Certificate of Public)	Application No. 877
Convenience and Necessity)	
to Perform Charter Operations)	Docket No. 290

By Application No. 877, filed September 13, 1975, Executive Limousine Service, Inc. (Executive) seeks a certificate of public convenience and necessity, pursuant to Title II, Article XII, Section 4(b) of the Compact, to transport passengers, together with mail, express, baggage and newspapers, over irregular routes, in charter operations, between points which are located within the Metropolitan District, except those points which are located solely within the Commonwealth of Virginia, limited to limousine service. Executive proposes to perform the limousine service in vehicles ranging in seating capacity between 7 passenger and 14 passenger.

Executive submitted as part of the application a proposed tariff. The proposed rate structure reflects the various charges for the several vehicles to be used.

<u>Vehicle Capacity</u>	<u>Rate Per Mile</u>	<u>Rate Per Hour</u>
11 Passenger or Less	\$0.60	\$15.00
12 to 14 Passenger	\$0.65	\$17.00
15 Passenger or More	\$0.70	\$19.00

The normal rate to be assessed would be the greater of the mileage or hourly charge. If the chartering party is supplied with a licensed guide/driver, then there would be an additional charge of \$5 per hour. Also, Executive has proposed a one-way \$30 transfer fee per vehicle between Washington National Airport (National) and downtown Washington, D. C., and a one-way \$45 transfer fee per vehicle between any point in the Metropolitan District and Dulles International Airport (Dulles). If the vehicle is delayed more than one-half hour, the transfer rate does not apply and a three hour minimum charge at the hourly rate would be assessed.

Executive currently holds Certificate of Public Convenience and Necessity No. 18. That Certificate authorizes the performance of special operations, over irregular routes, limited to limousine service, between Dulles on the one hand, and on the other, the Burlington Hotel, Vermont Avenue at Thomas Circle, N. W., Washington, D. C., and between Dulles on the one hand, and on the other, the Quality Inn-Capitol Hill, 415 New Jersey Avenue, N. W., Washington, D. C., with an intermediate stop at L'Enfant Plaza Hotel, 480 L'Enfant Plaza East, S. W., Washington, D. C. That Certificate also authorizes the performance of separate charter operations pursuant to contract with specified airlines between Dulles or National on the one hand, and on the other, points within the District of Columbia or Maryland which are located within the Metropolitan District.

Executive currently has pending two separate applications which have been consolidated (Docket No. 289) for purpose of public hearing. By Application No. 871, Executive seeks a certificate of public convenience and necessity to transport passengers, together with mail, express, baggage and newspapers, over irregular routes, in special operations, between Dulles on the one hand, and on the other, the Mayflower Hotel, 1127 Connecticut Avenue, N. W., Washington, D. C., the Shoreham Americana 2500 Calvert Street, N. W., Washington, D. C., and the Sheraton Park Hotel, 2660 Woodley Road, N. W., Washington, D. C. By Application No. 872, Executive seeks a certificate of public convenience and necessity to transport passengers, together with mail, express, baggage and newspapers, over irregular routes, in charter operations, between Dulles on the one hand, and on the other, those points within the District of Columbia which the carrier is authorized to serve in special operations.

Title II, Article XII, Section 4(b) of the Compact provides as follows:

When an application is made under this section for a certificate, . . . , the Commission shall issue a certificate to any qualified applicant therefor, . . . , if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. (Emphasis added.)

Pursuant to this mandate, the Commission shall schedule a hearing to develop an appropriate record. Executive shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear.

The reason for the hearing is to fully develop the basis for any findings as to Executive's fitness to perform the proposed transportation service and the existing requirements of the public convenience and necessity for the proposed transportation service. Executive shall be required to submit and be prepared to support with competent witnesses the following exhibits:

(A) A detailed balance sheet of Executive as of September 30, 1975.

(B) A detailed income statement of Executive for the 12 month period ended September 30, 1975.

(C) A statement projecting revenues and revenue deductions, including taxes, for a one-year period, together with supporting details, including the ratio between revenue deductions and revenues.

Executive shall be directed to file six (6) copies of the statements required hereinbefore with the Commission and serve one copy on each party of record on or before November 19, 1975. Executive shall be prepared to present evidence that public convenience and necessity require the

proposed charter service. Should Executive elect to submit prepared testimony at the hearing, then six (6) copies of said testimony also should be filed with the Commission and one copy served on each party of record on or before November 19, 1975.

THEREFORE, IT IS ORDERED:

1. That Application No. 877 of Executive Limousine Service, Inc., be, and it is hereby, scheduled for public hearing to commence Monday, November 24, 1975, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

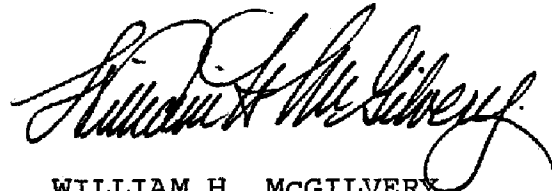
2. That Executive Limousine Service, Inc., publish in a newspaper of general circulation in the Metropolitan District and post in each vehicle that it operates a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Thursday, October 30, 1975, and present at the hearing a certificate of publication from the selected newspaper and a certification of posting.

3. That six (6) copies, the original to be submitted at the hearing, of the statements and exhibits required hereinbefore be filed by Executive Limousine Service, Inc., with the Commission and one copy served on each party of record on or before Wednesday, November 19, 1975.

4. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Friday, November 14, 1975, and shall mail a copy of such protest or notice to counsel of record for Executive Limousine Service, Inc., Maxwell A. Howell, Esquire, Suite 1100 Investment Building, 1511 K Street, N. W., Washington, D. C. 20005.

5. That Executive Limousine Service, Inc., be, and it is hereby, assessed \$500 pursuant to the provisions of the Compact, Title II, Article XII, Section 19 and directed to deposit said amount in the name and to the credit of the Washington Metropolitan Area Transit Commission in the American Security and Trust Company, 1612 K Street, N. W., Washington, D. C., on or before Wednesday, November 19, 1975.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read "William H. McGilvery", written in a cursive style.

WILLIAM H. MCGILVERY
Executive Director